

ORDINANCE NO. 1522

AN ORDINANCE OF THE LODI CITY COUNCIL
AMENDING THE CITY'S EXCLUSIVE FRANCHISE
FOR WASTE DISPOSAL SERVICES

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WHEREAS, on September 28, 1988 under Ordinance 1433, the Lodi City Council granted to Lodi City Sanitary Disposal Company, Inc. the exclusive right to collect all residential and commercial waste within the City limits; and

WHEREAS, it now appears necessary and desirable to modify that agreement by changing the date for rate review and adjustment;

NOW, THEREFORE, the Lodi City Council ordains as follows:

- SECTION 1. The agreement entered into between the City and Lodi Sanitary City Disposal Company, Inc. on September 7, 1988 is hereby amended as described in the Addendum To The Agreement attached hereto.
- SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.
- SECTION 3. This ordinance shall be published one time in the Lodi News Sentinel, a daily newspaper of general circulation printed and published in the City of Lodi and shall be enforce and shall take effect thirty days from and after its passage and approval.

Approved this 18th day of September 1991



David M. Hinchman
Mayor

Attest:


Alice M. Reimche
City Clerk

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State of California
County of San Joaquin, ss.


I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1522 was introduced at a regular meeting of the City Council of the City of Lodi held September 4, 1991 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held on September 18, 1991.

Ayes : Council Members - Pennino, Pinkerton,
Sieglock, Snider and
Hinchman (Mayor)

Noes : Council Members - None

Absent: Council Members - None

I further certify that Ordinance No. 1522 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.



Alice M. Reimche
City Clerk

Approved as to Form:



Bob McNatt
City Attorney

MODIFICATION TO AGREEMENT

THIS MODIFICATION TO THE AGREEMENT DATED SEPTEMBER 7, 1988 (The Agreement) is entered into this day of 1991 by and between the parties to the original agreement. All terms of the original agreement, save and except those additions, deletions, and modifications specified herein shall continue.

RECITALS

Paragraph 25 of the original Agreement (Collection Rates) shall be modified to read as follows:

The City shall have the right to determine the rates contractor may charge to customers for refuse collection and transportation services. The rates established shall be reviewed annually during the month of September and, **if** appropriate, adjusted effective October 1. In its determination of any appropriate rate adjustments, the City Council may consider, by not be limited to, the change in the Consumer Price Index and/or other indices deemed appropriate for the past twelve months, and/or any extraordinary increases or decreases in the cost of equipment, insurance, fuel, Federal, State and/or local government taxes, fees, assessments, or other special costs.

IN WITNESS WHEREOF the parties hereto have set their hands the date and year first mentioned above.

CITY OF LODI

LODI SANITARY CITY DISPOSAL COMPANY


Thomas A. Peterson
City Manager

Dave Vaccarezza
President

Approved As To Form:

Attest:

Rob McNatt, City Attorney



Alice M. Reimche, City Clerk